

ESSB 5699 - H COMM AMD

By Committee on Natural Resources, Ecology & Parks

ADOPTED 04/07/2005

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that aquatic invasive
4 species and freshwater aquatic algae are causing economic,
5 environmental, and public health problems that affect the citizens and
6 aquatic resources of our state. Many highly destructive species, such
7 as the zebra mussel, are currently not found in Washington's waters and
8 efforts should be made to prevent the introduction or spread of these
9 aquatic invasive species into our state waters. Preventing new
10 introductions is significantly less expensive and causes far less
11 ecological damage than trying to control new infestations.

12 The legislature also finds that freshwater algae, particularly
13 blue-green algae, are also seriously degrading the water quality and
14 recreational value of a number of our lakes. Blue-green algae can
15 produce toxins that inhibit recreational uses and pose a threat to
16 humans and pets.

17 It is therefore the intent of the legislature to clarify the roles
18 of the different state agencies involved in these issues in order to
19 address the threat of aquatic invasive species and the problem caused
20 by aquatic freshwater algae, and to provide a dedicated fund source to
21 prevent and control further impacts.

22 **Sec. 2.** RCW 88.02.050 and 2002 c 286 s 13 are each amended to read
23 as follows:

24 (1) Application for a vessel registration shall be made to the
25 department or its authorized agent in the manner and upon forms
26 prescribed by the department. The application shall state the name and
27 address of each owner of the vessel and such other information as may
28 be required by the department, shall be signed by at least one owner,

1 and shall be accompanied by a vessel registration fee of ten dollars
2 and fifty cents per year and the excise tax imposed under chapter 82.49
3 RCW. (~~In addition, two~~)

4 (2) Five additional dollars must be collected annually from every
5 vessel registration application. These moneys must be distributed in
6 the following manner:

7 (a) Two dollars must be deposited into the derelict vessel removal
8 account established in RCW 79.100.100. If the department of natural
9 resources indicates that the balance of the derelict vessel removal
10 account reaches one million dollars as of March 1st of any year, the
11 collection of the two-dollar fee must be suspended for the following
12 fiscal year.

13 (b) One dollar and fifty cents must be deposited in the aquatic
14 invasive species prevention account created in section 3 of this act.

15 (c) One dollar must be deposited into the freshwater aquatic algae
16 control account created in section 4 of this act.

17 (d) Fifty cents must be deposited into the aquatic invasive species
18 enforcement account created in section 5 of this act.

19 (3) Any fees required for licensing agents under RCW 46.01.140
20 shall be in addition to the ten dollar and fifty cent annual
21 registration fee and the (~~two-dollar derelict vessel~~) five-dollar fee
22 created in subsection (2) of this section.

23 (4) Upon receipt of the application and the registration fee, the
24 department shall assign a registration number and issue a decal for
25 each vessel. The registration number and decal shall be issued and
26 affixed to the vessel in a manner prescribed by the department
27 consistent with the standard numbering system for vessels set forth in
28 volume 33, part 174, of the code of federal regulations. A valid decal
29 affixed as prescribed shall indicate compliance with the annual
30 registration requirements of this chapter.

31 (5) The vessel registrations and decals are valid for a period of
32 one year, except that the director of licensing may extend or diminish
33 vessel registration periods, and the decals therefor, for the purpose
34 of staggered renewal periods. For registration periods of more or less
35 than one year, the department may collect prorated annual registration
36 fees and excise taxes based upon the number of months in the
37 registration period. Vessel registrations are renewable every year in
38 a manner prescribed by the department upon payment of the vessel

1 registration fee, excise tax, and the derelict vessel fee. Upon
2 renewing a vessel registration, the department shall issue a new decal
3 to be affixed as prescribed by the department.

4 (6) When the department issues either a notice to renew a vessel
5 registration or a decal for a new or renewed vessel registration, it
6 shall also provide information on the location of marine oil recycling
7 tanks and sewage holding tank pumping stations. This information will
8 be provided to the department by the state parks and recreation
9 commission in a form ready for distribution. The form will be
10 developed and prepared by the state parks and recreation commission
11 with the cooperation of the department of ecology. The department, the
12 state parks and recreation commission, and the department of ecology
13 shall enter into a memorandum of agreement to implement this process.

14 (7) A person acquiring a vessel from a dealer or a vessel already
15 validly registered under this chapter shall, within fifteen days of the
16 acquisition or purchase of the vessel, apply to the department or its
17 authorized agent for transfer of the vessel registration, and the
18 application shall be accompanied by a transfer fee of one dollar.

19 NEW SECTION. **Sec. 3.** A new section is added to chapter 77.12 RCW
20 to read as follows:

21 (1) The aquatic invasive species prevention account is created in
22 the state treasury. Moneys directed to the account from RCW 88.02.050
23 must be deposited in the account. Expenditures from the account may
24 only be used as provided in this section. Moneys in the account may be
25 spent only after appropriation.

26 (2) Funds in the aquatic invasive species prevention account may be
27 appropriated to the department to develop an aquatic invasive species
28 prevention program for recreational watercraft. Funds must be expended
29 as follows:

30 (a) To inspect watercraft, watercraft trailers, and outboard motors
31 at selected boat launching sites;

32 (b) To educate general law enforcement officers on how to enforce
33 state laws relating to preventing the spread of aquatic invasive
34 species;

35 (c) To evaluate and survey the risk posed by marine recreational
36 watercraft in spreading aquatic invasive species into Washington state
37 waters;

1 (d) To evaluate the risk posed by float planes in spreading aquatic
2 invasive species into Washington state waters; and

3 (e) To implement an aquatic invasive species early detection and
4 rapid response plan.

5 (3) The department shall provide training to Washington state
6 patrol employees working at port of entry weigh stations on how to
7 inspect recreational watercraft for the presence of zebra mussels and
8 other aquatic invasive species. The department shall also
9 cooperatively work with the Washington state patrol to set up random
10 check stations to inspect watercraft at areas of high boating activity.

11 (4) The department shall submit a biennial report to the
12 appropriate legislative committees describing the actions taken to
13 implement this section along with suggestions on how to better fulfill
14 the intent of this act. The first report is due December 1, 2007.

15 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.21A RCW
16 to read as follows:

17 (1) The freshwater aquatic algae control account is created in the
18 state treasury. Moneys directed to the account from RCW 88.02.050 must
19 be deposited in the account. Expenditures from the account may only be
20 used as provided in this section. Moneys in the account may be spent
21 only after appropriation.

22 (2) Funds in the freshwater aquatic algae control account may be
23 appropriated to the department to develop a freshwater aquatic algae
24 control program. Funds must be expended as follows:

25 (a) As grants to cities, counties, tribes, special purpose
26 districts, and state agencies to manage excessive freshwater algae,
27 with priority for the treatment of lakes in which harmful algal blooms
28 have occurred within the past three years; and

29 (b) To provide technical assistance to applicants and the public
30 about aquatic algae control.

31 (3) The department shall submit a biennial report to the
32 appropriate legislative committees describing the actions taken to
33 implement this section along with suggestions on how to better fulfill
34 the intent of this act. The first report is due December 1, 2007.

35 NEW SECTION. **Sec. 5.** A new section is added to chapter 43.43 RCW
36 to read as follows:

1 (1) The aquatic invasive species enforcement account is created in
2 the state treasury. Moneys directed to the account from RCW 88.02.050
3 must be deposited in the account. Expenditures from the account may
4 only be used as provided in this section. Moneys in the account may be
5 spent only after appropriation.

6 (2) Funds in the aquatic invasive species enforcement account may
7 be appropriated to the Washington state patrol to develop an aquatic
8 invasive species enforcement program for recreational watercraft.
9 Funds must be expended as follows:

10 (a) To inspect recreational watercraft that are required to stop at
11 port of entry weigh stations managed by the Washington state patrol.
12 The watercraft must be inspected for the presence of zebra mussels and
13 other aquatic invasive species; and

14 (b) To establish random check stations, in conjunction with the
15 department of fish and wildlife, to inspect watercraft in areas of high
16 boating activity.

17 (3) The Washington state patrol shall submit a biennial report to
18 the appropriate legislative committees describing the actions taken to
19 implement this section along with suggestions on how to better fulfill
20 the intent of this act. The first report is due December 1, 2007.

21 NEW SECTION. **Sec. 6.** Section 2 of this act applies to vessel
22 registration fees that are due or become due on or after August 1,
23 2005.

24 NEW SECTION. **Sec. 7.** Section 2 of this act expires June 30,
25 2012."

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